



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4471

by Rep. Lisa M. Dugan

SYNOPSIS AS INTRODUCED:

325 ILCS 50/5

from Ch. 23, par. 2285

Amends the Missing Children Records Act. Provides that for every child enrolled in a particular school, preschool, or day care or other child care facility (instead of upon enrollment of a child for the first time in such a facility), that school or other entity shall notify in writing the person enrolling the child that he or she must provide "a copy of a certified copy" (instead of a certified copy) of the child's birth certificate. Effective immediately.

LRB095 18636 DRJ 44722 b

1 AN ACT concerning children.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Missing Children Records Act is amended by
5 changing Section 5 as follows:

6 (325 ILCS 50/5) (from Ch. 23, par. 2285)

7 Sec. 5. Duties of school or other entity.

8 (a) Upon notification by the Department of a person's
9 disappearance, a school, preschool educational program, child
10 care facility, or day care home or group day care home in which
11 the person is currently or was previously enrolled shall flag
12 the record of that person in such a manner that whenever a copy
13 of or information regarding the record is requested, the school
14 or other entity shall be alerted to the fact that the record is
15 that of a missing person. The school or other entity shall
16 immediately report to the Department any request concerning
17 flagged records or knowledge as to the whereabouts of any
18 missing person. Upon notification by the Department that the
19 missing person has been recovered, the school or other entity
20 shall remove the flag from the person's record.

21 (b) (1) For every child enrolled ~~Upon enrollment of a child~~
22 ~~for the first time~~ in a particular elementary or secondary
23 school, public or private preschool educational program,

1 public or private child care facility licensed under the Child
2 Care Act of 1969, or day care home or group day care home
3 licensed under the Child Care Act of 1969, that school or other
4 entity shall notify in writing the person enrolling the child
5 that within 30 days he must provide either (i) a copy of a
6 certified copy of the child's birth certificate or (ii) other
7 reliable proof, as determined by the Department, of the child's
8 identity and age and an affidavit explaining the inability to
9 produce a copy of the birth certificate. Other reliable proof
10 of the child's identity and age shall include a passport, visa
11 or other governmental documentation of the child's identity.

12 (2) Upon the failure of a person enrolling a child to
13 comply with subsection (b) (1), the school or other entity
14 shall immediately notify the Department or local law
15 enforcement agency of such failure, and shall notify the person
16 enrolling the child in writing that he has 10 additional days
17 to comply.

18 (3) The school or other entity shall immediately report to
19 the Department any affidavit received pursuant to this
20 subsection which appears inaccurate or suspicious in form or
21 content.

22 (c) Within 14 days after enrolling a transfer student, the
23 elementary or secondary school shall request directly from the
24 student's previous school a certified copy of his record. The
25 requesting school shall exercise due diligence in obtaining the
26 copy of the record requested. Any elementary or secondary

1 school requested to forward a copy of a transferring student's
2 record to the new school shall comply within 10 days of receipt
3 of the request unless the record has been flagged pursuant to
4 subsection (a), in which case the copy shall not be forwarded
5 and the requested school shall notify the Department or local
6 law enforcement authority of the request.

7 (Source: P.A. 95-439, eff. 1-1-08.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.